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REMARKS/A. GUMENTS

Claims 2-14, 16-28 are pending. In view of the Examiner's comments and with a view to better defining the invention, claim 10 has been amended. Applicant herein responds to the rejected claims and respectfully requests reconsideration in light of the below remarks.

Claims 2-9, 12-14 and 16-28 rejected under 35 USC §112

Claims 2-9, 12-14 and 16-28 were rejected under 35 USC §112 as failing to comply with the written description requirement. In particular, with respect to base claims 3, 14, 17, 27 and 28, the Examiner contends that the limitation "wherein performing a cross-correlation further includes processing the result of the cross-correlation to discard a number of the most recent cross-correlation values" has not been taught by the instant application. Furthermore, in regards to this rejection, Examiner points to the paragraph on page 12, lines 11-16 of the detailed description and states that this paragraph is under the auto-correlation operation instead of cross-correlation.

Applicant respectfully indicates that the detailed description on page 12 lines 11-16, pertains to cross-correlation values rather than auto-correlation values, for at least the following reasons:

The paragraph on page 12 lines 11-16 deals with "the next step to peak processing" and teaches discarding values from "the buffer". In the preceding paragraphs, i.e. detailed description on page 11, lines 18-28 and page 12 lines 1-2 accompanied by Fig. 4, the "peak processing" operation is identified as block 444 within the cross-correlator block 440 and follows the actual cross-peak detection 443 within block 440. Also in the preceding paragraphs, page 12 lines 3-10 in conjunction with Fig. 5, the term "buffer" is specifically defined as the "running buffer" 510, used for storing cross-correlation peaks. Accordingly, Applicant contends that the detailed description on page 12 lines 11-16 pertains to discarding cross-correlation values from the running buffer 510. Furthermore, Applicant contends that this paragraph provides support for the limitation "wherein performing a cross-correlation further includes processing the result of the cross-correlation to discard a number of the most recent cross-correlation values" recited by claims 3, 14, 17, 27 and 28. Applicant further notes that support for this limitation can also be in the specification on page 4, lines 8-10.

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Claim 10 rejected under 35 USC §102. Claim 11 rejected under 35 USC §103

Claim 10 was rejected under 35 USC §102 as being anticipated by Wakamatsu and Claim 11 was rejected under 35 USC §103 in view of Wakamatsu. In view of the Examiner's remarks and with a view to better defining the invention, Applicant has amended claim 10 to be dependent on base claim 3. Applicant contends that amended claim 10 is patentable over Wakamatsu. As dependent on amended claim 10, Applicant further contends that claim 11 is also patentable over Wakamatsu.


CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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